

**IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF PENNSYLVANIA**

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**BRUNSON COMMUNICATIONS, INC.**

**Plaintiff,**

**v.**

**ARBITRON, INC.**

**Defendant.**

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: **Civil Action No.: 02-CV- 3223**  
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**ORDER**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 2003, upon consideration of Defendant Arbitron Inc.'s Motion to Dismiss Plaintiff's Second Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(6), and any response thereto, it is **ORDERED** that Defendant's Motion is **GRANTED** and Plaintiff's Second Amended Complaint is **DISMISSED WITH PREJUDICE**.

By the Court:

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MICHAEL M. BAYLSON, Judge  
United States District Court

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**Plaintiff,**

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**Civil Action No.: 02-CV- 3223**

**MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED COMPLAINT  
PURSUANT TO FED. R. CIV. P. RULE 12(b)(6)**

Defendant, Arbitron, Inc. ("Arbitron"), by its counsel, hereby moves this Court pursuant to Fed. R. Civ. P. 12(b)(6) to enter an order dismissing Plaintiff's Second Amended Complaint in its entirety with prejudice. The grounds in support of the motion are set forth in the accompanying memorandum of law.

Date: April 2, 2003

By: 

David B. Picker, Esq.  
SPECTOR, GADON & ROSEN, P.C.  
Seven Penn Center,  
1635 Market Street, 7<sup>th</sup> Floor  
Philadelphia, Pennsylvania 19103  
Telephone: (215) 241-8888  
Facsimile: (215) 241-8844

Alfred R. Fabricant, Esq.  
Marc A. Lieberstein, Esq.  
Douglas Q. Hahn, Esq.  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036  
Telephone: (212) 382-0700  
Facsimile: (212) 382-0888

Attorneys for Defendant Arbitron, Inc.